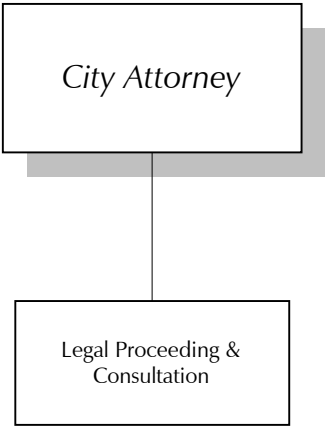


CITY ATTORNEY’S OFFICE



City Attorney

# CITY ATTORNEY'S OFFICE

## Department Summary

The City Attorney's Office serves the City of Fresno, its elected officials, officers and departments by providing high quality legal services in a timely and cost efficient manner. The City Attorney's Office serves as counsel, and represents and appears for the City and certain boards, commissions, and agencies of the City in civil and administrative proceedings. The Office also serves as counsel for the Fresno Redevelopment Agency (FRA), and performs, often in conjunction with special counsel, the legal work involved in financing transactions for the City and the FRA.

The City Attorney's Office has a key role in the City's efforts to expand and improve services to its citizens. Significant time and resources are devoted to legal issues and advice associated with numerous Council and Mayor-initiated projects, programs and legislation. The Office prepares legal opinions, ordinances, resolutions, contracts, and other documents requested by Council and City organizations; and, implements the legal aspects of various policies and programs established by the City. The Office also monitors cases and matters assigned to contract counsel and ensures timely reporting to the Council on these matters as well as those handled in-house.

Attorneys in the Office are active in community activities, particularly in education-related functions. An example of this community involvement is the active working relationship maintained with local schools, community colleges, universities, and law schools by participating in their work experience and intern programs. The Office accepts placement of student volunteers to supplement staff in the areas of legal research and clerical support. These programs have proven to be beneficial for the Office as well as for the students.

Membership and participation in professional associations is encouraged and supported by the City Attorney's Office in recognition of the importance of vital links to peers, the community, and government leaders. These associations include local, state, and federal bar associations, and the City Attorney's Division of the League of California Cities, among others.

The City Attorney's Office is organized into Code, Civil Advisory, and Litigation work units and are supervised by an administrative team.

## Code Unit

The Code Unit is dedicated to maintaining and enforcing the Fresno Municipal Code (FMC) and is supervised by the City Attorney. In FY 02, the Code Unit will devote priority emphasis to updating and streamlining the Fresno Municipal Code (FMC) in an effort to improve its functionality in administering and enforcing its provisions.

The Code Unit handles civil and criminal litigation as part of the Office's code enforcement responsibilities. The Unit works to protect the safety and quality of life of the people in Fresno by intervening to eliminate blight through civil enforcement and to stop criminal conduct and public nuisances through criminal enforcement. Vacant and dilapidated buildings, trash, abandoned cars, and substandard houses create blight and attract crime. The Unit works with the Police Department in prosecuting quality of life crimes such as parking of cars on front yard lawns, loitering for drug activity, and loitering for prostitution. Cross training is provided in both civil code enforcement and criminal code enforcement so that legal services are provided in an aggressive, just, and effective manner. The Unit continues with its commitment in the following areas: (1) to be available at all times for advisory services, (2) to be proactive in ensuring that corrective action is taken by staff in its noticing procedures and in developing an administrative record, (3) to file injunctions against repeat offenders, and (4) to expand criminal prosecutions to more areas. These are all measures necessary to meet the City's focus on code enforcement.

The Code Unit provides legal support to general government administrative services for eminent domain actions, foreclosure actions for unpaid assessment district fees, and complaints handled through administrative hearings for zoning violations, illegal dumping, excessive noise complaints, vicious animal complaints, etc.

## CITY ATTORNEY'S OFFICE

### Civil Advisory Unit

The Civil Advisory Unit provides advisory and transactional services to elected officials, certain boards and commissions, and all City departments as well as the Redevelopment Agency. Services include legal advice; written opinions; drafting and review of documents including deeds, leases, purchase and sale agreements, bid specifications, bond documents, resolutions, ordinances, disciplinary actions; and negotiations. The Unit handles a wide array of transactions from standard municipal transactions to complex, highly sophisticated, and large dollar transactions such as the wastewater treatment plant, federal courthouse construction, the downtown baseball stadium, municipal bond financings, and airport construction projects.

### Litigation Unit

The Litigation Unit provides full-scale litigation services in numerous areas of municipal law including land use, CEQA, tort litigation, labor relations, civil rights, housing, public works construction, personnel, eminent domain, and redevelopment. Many cases are resolved through dismissal and others through settlement. The Unit provides representation through trial and appeal, as appropriate. In some situations, cases in this Unit are contracted out for reasons such as surges in workload demands or the need for special expertise. In these instances, the Unit monitors outside counsel and ensures timely reports to Council on the case status.

## CITY ATTORNEY'S OFFICE

### Department Appropriation and Position Summary

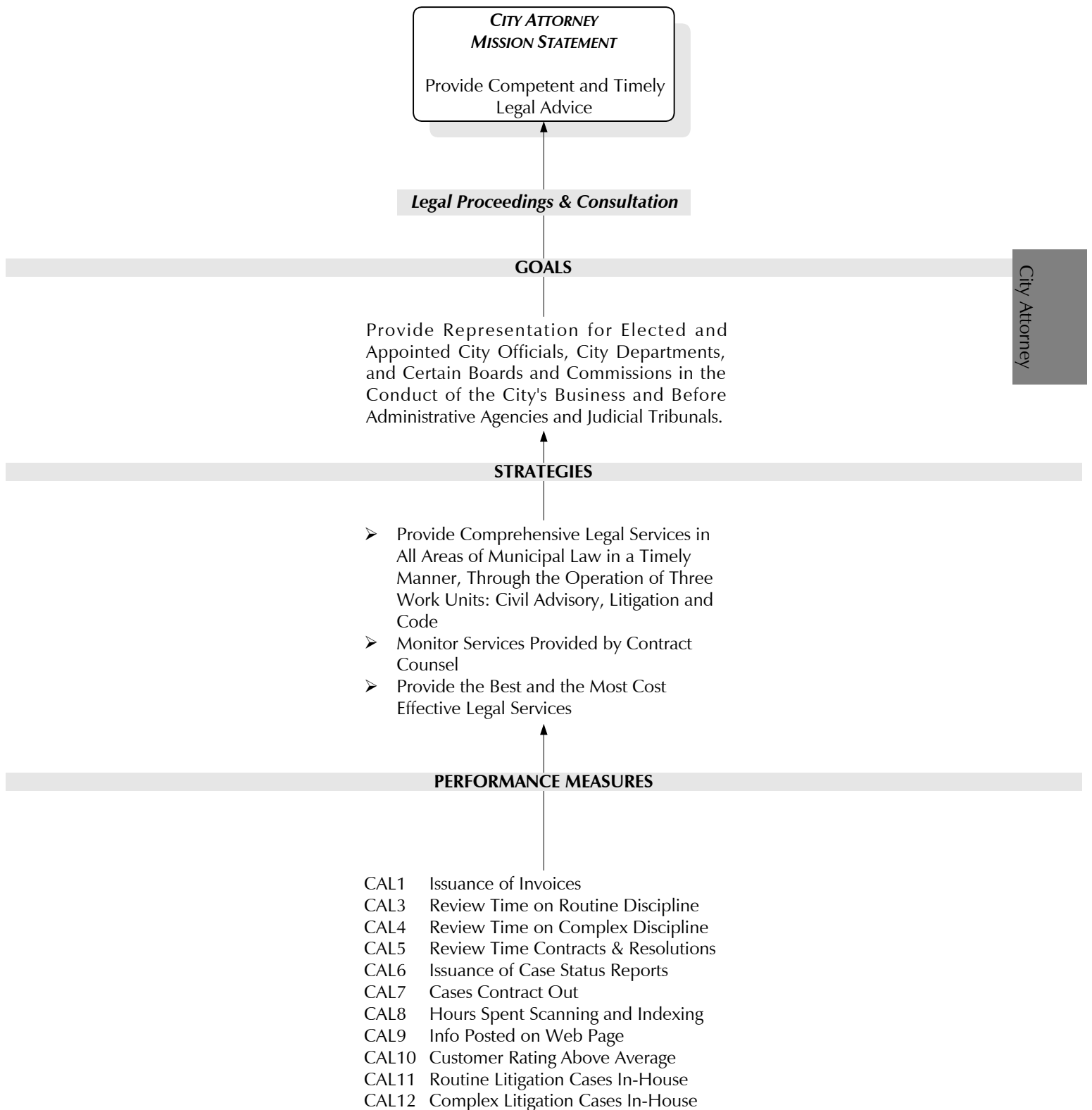
	FY 00 Actuals	FY 01 Amended	FY 02 Adopted
Operating Appropriations	\$ 2,791,800	\$ 2,962,000	\$ 3,372,100
Capital	\$ 0	\$ 0	\$ 0
Debt Service	\$ 0	\$ 0	\$ 0
Total FTEs	31.80	34.00	35.50

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### Operating Resources

<b>Funding</b>	FY 00 Actuals	FY 01 Amended	FY 02 Adopted	Percent Change
Charges for Services	\$ 1,452,700	\$ 2,962,000	\$ 3,372,100	13.8
Use of / (Contribution to) Reserves	1,339,100	0	0	n/a
<b>Total Operating Resources</b>	<b>\$ 2,791,800</b>	<b>\$ 2,962,000</b>	<b>\$ 3,372,100</b>	<b>13.8</b>

# CITY ATTORNEY'S OFFICE



# CITY ATTORNEY'S OFFICE

## CITY ATTORNEY'S OFFICE DIVISION

The City Attorney's Office represents and advises the City Council and Mayor, certain City boards and commissions, and City officials and departments in legal matters pertaining to their office and City operations, which include various municipal utilities, two airports, and public transportation systems.

### Division Appropriation and Position Summary

	<u>FY 00 Actuals</u>	<u>FY 01 Amended</u>	<u>FY 02 Adopted</u>
Operating	\$2,791,800	\$2,962,000	\$3,372,100
Total FTEs	31.80	34.00	35.50

### Objective

< Reduce the number of routine litigation cases contracted out by five percent.

< Minimize number of hours to index and file documents

< Maintain current service levels

### Items Adopted to Enhance/Maintain Objective

< Case management software and maintenance	\$ 57,200
< Information systems equipment	18,300
< Attorney salary increases	38,200
< Membership and dues	500
< Administrative Clerk (Temp hours)	17,600
< Information system equipment	5,400
< Various furniture items	2,800
< Salary Increase for the City Attorney	23,400
< Addition of (1) Legal Secretary (Pending receipt of the Macias Report)	30,200

### Performance Measures

Performance measures tied to the objectives and other significant service level estimates for FY 01 and Adopted for FY 02 are presented in the following table.

	<u>FY 01 Estimates</u>	<u>FY 02 Adopted</u>
Review time contracts & resolutions	5 work days	5 work days
Issuance of case status reports	30 days	30 days
Reduction of cases contracted out	n/a	5 percent
Hours spent scanning and indexing files	n/a	360 hours
Customer rating above average	n/a	70 percent

## CITY ATTORNEY'S OFFICE

### City Attorney's Office Division Appropriations

Council approved the creation of "Budget Hold" contingencies as part of the Adopted budget. Ten percent of an organizational unit's appropriations were reclassified from the Personnel and Non-Personnel object levels into Contingency. It is anticipated that the appropriations will be reclassified back into the Personnel and Non-Personnel object levels upon Council direction, subsequent to further review and evaluation of anticipated revenues to be collected.

Expenditure Category	FY 00 Actuals	FY 01 Amended	FY 02 Adopted	Percent Change
Employee Services	\$ 1,965,600	\$ 2,163,900	\$ 2,279,000	
Purchased Prof and Tech	125,000	157,000	182,000	
Purchased Property Services	3,900	3,700	3,700	
Other Purchased Services	7,700	15,100	13,700	
Supplies	11,100	22,500	22,500	
Other Objects	33,900	40,500	41,000	
Interdepartmental Charges	644,600	559,300	483,500	
Contingencies	0	0	346,700	
<b>Total Division Costs</b>	<b>\$ 2,791,800</b>	<b>\$ 2,962,000</b>	<b>\$ 3,372,100</b>	<b>13.8</b>

City Attorney

### Division Staffing and Costing

The table shows the FY 02 Full-Time Equivalent (FTE) authorized permanent and temporary positions for the division. For most divisions, the employee services expenditure category will not match this total. The reason is that this report shows a list and the cost of the permanent and temporary positions in this division; it does not include costs for overtime, premium pay, contract extra help, etc., which are included in the employee services total for each division. The "Adopted Average" column reflects the average cost per Adopted FTE position(s) as budgeted. The Type column indicates "F" for Full-time, "P" for Part-time, "I" for Intermittent, and "T" for Temporary.

Type	Job Title	FY 01 FTE	FY 02 FTE	Adopted Average
F	Administrative Support Clerk	1.00	1.00	\$ 30,000
F	Assistant City Attorney	6.00	6.00	75,200
F	City Attorney	1.00	1.00	149,000
F	Deputy City Attorney III	10.00	10.00	69,800
F	Executive Secretary	1.00	1.00	42,900
F	Law Office Supervisor	1.00	1.00	45,900
F	Legal Assistant	3.00	3.00	42,900
F	Legal Secretary I	0.00	0.75	30,200
F	Legal Secretary II	10.00	10.00	35,800
F	Senior Administrative Clerk	1.00	1.00	27,700
T	Administrative Clerk I	0.00	0.75	21,700
<b>Total Division FTEs</b>		<b>34.00</b>	<b>35.50</b>	

